

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DIONDRAE BROWN,

Petitioner,

v.

DONALD R. HOLBROOK,

Respondent.

Case No. C21-1058-BJR-MLP

ORDER OF DISMISSAL

Having reviewed the Report and Recommendation (“R&R”) of the Honorable Michelle L. Peterson, United States Magistrate Judge, the objections of Petitioner filed on February 5, 2022, and the remaining record, the Court finds and ORDERS:

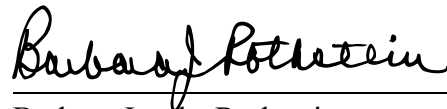
(1) Petitioner’s objections fail to refute the conclusion in the R&R that the “second amended habeas petition fails to correct deficiencies previously identified by this Court,” specifically, that “Petitioner’s grounds for relief do not appear to have been properly exhausted in the Washington state courts.” R&R at 7.

(2) The Court ADOPTS the Report and Recommendation;

(3) Plaintiff’s amended habeas petition (dkt. # 16), and this action, are DISMISSED without prejudice;

- 1 (4) A certificate of appealability is DENIED as to all claims; and  
2 (5) The Clerk is directed to send a copy of this Order to Plaintiff.  
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4 DATED this 21st day of March, 2022.

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7 Barbara Jacobs Rothstein  
8 U.S. District Court Judge  
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